

CITY OF VERGENNES NOTICE OF PUBLIC HEARING

Notice is hereby given to the residents of the City of Vergennes, owners of land within said city, and other interested persons and parties, that the Vergennes City Council will hold a public hearing on Tuesday, October 27, 2015 at 7 p.m. in the Vergennes Fire Station Meeting Room as required by 24 V.S.A. § 4442. The purpose of the public hearing is for the City Council to hear and receive testimony regarding the amendments to the Vergennes zoning and subdivision regulations as proposed by the Vergennes Planning Commission. A copy of the full text and accompanying map is on file in the City Clerk's office for public examination.

Statement of Purpose:

The purpose of amending the zoning and subdivision regulations is to bring them into conformance with the municipal development plan that was adopted by the City and make other minor amendments.

Geographic Area Affected

The entire area of the City of Vergennes is affected.

Sections with Proposed Amendments

- Section 106. Definitions
- Section 202. Development Review Board
- Section 402. Accessory Dwelling Units
- Section 405. Home Occupations
- Section 502. Development Review Board Functions
- Section 1204. Special Parking and Loading Space Requirements
- Section 1205. Location and Dimensions of Driveways
- Section 1206. Open Storage in Residential Districts
- Section 1410. Calculating Coverage
- Section 1506. Camping Trailers, Travel Trailers, and Motor Homes
- Section 1601. Establishment of Zoning Districts
- Section 1602. Zoning Map
- Section 1603. Agricultural and Rural Residential District "AGR"
- Section 1604. Historic Neighborhood District
- Section 1609. Central Business District "CBD"
- Section 1611. Industrial District "IND"
- Section 1612. Public District "PUB"
- Section 1613. Northern Gateway District "NGD"
- Section 1614. Low Density Residential District

**City of Vergennes
Amendments to the Zoning and Subdivision Regulations
As Proposed by the Planning Commission on September 29, 2015 Post
Public Hearing September 28, 2015**

Proposed new language is underlined.

Language proposed to be deleted is shown as strike-through.

Pg 10 - Add the following to Section 106.

RESIDENTIAL DISTRICT: Refers to the following districts - Medium Density Residential District, High Density Residential District and the Historic Neighborhood District.

Pg 14 and 15 - Amend Section 202.

1. Regular, Special, and Emergency Meetings

Regular meetings of the Development Review Board shall be held at the call of the chair and at such times as the Board may determine. Public notice shall be placed in or near the city clerk's office, two public places as determined by the City Council, and posted on the City's web-site, www.vergennes.org.

In accordance with Vermont's Open Meeting Law (1 V.S.A. §§ 310-314), all meetings of the Development Review Board, except for deliberative and executive sessions, shall be open to the public. The Board shall ensure that minutes are kept of all proceedings, excluding executive and deliberative sessions, showing the vote of each member upon each question, or if absent or failing to vote, indicating this, and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the office of the city clerk as a public record and posted on the City's web-site, www.vergennes.org.

Pg 26 - Amend Section 402.

3. The accessory dwelling meets all applicable dimensional and parking requirements. ~~except where exempted under Section 1408.C.~~

Pg 28 - Amend Section 405.

10. Home occupations shall include but not be limited to: dressmaking, home cooking, teaching up to two students at a time, studio, bicycle repair, barber shop, ~~beauty parlor~~ hair salon/spa, office, print shop, shoe making or repair. Home occupation

shall not include: retail sales unless as a minor part of the home occupation, commercial stable or kennel, restaurant, or uses similar to the foregoing.

Pg 29 - Add the following to Section 502.

11. Demolition of historic buildings, see Section 1604.F.11

Pg 67 - Amend Section 1204.

4. Where any non-residential use abuts a residential use, ~~the Development Review Board may require any~~ parking or loading spaces are required to be no closer than twenty-five (25) feet to the property line abutting the residential ~~district~~ use and the spaces shall be suitably screened and landscaped. Parking or loading spaces may receive a waiver from this required setback if all of the following conditions are met:
 - A. Approval from the Development Review Board pursuant to Section 503 of these regulations for public notice and Article V for public hearing procedures.
 - B. The waiver does not create an undue adverse effect on the character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan.
 - C. The parking or loading spaces do not create an undue adverse impact on the abutting neighbors and is designed with screening or other remedies to limit undue impacts.

Pg 67 - Amend Section 1205 and rename as Location and Dimensions of Driveway.

All newly constructed driveways are to be located at least thirty (30) feet from the intersection of two (2) street lines for all uses except one-family and two-family residential uses. ~~A required driveway shall be at least (20) feet clear in width except for one-family and two-family uses.~~ To provide for fire and ambulance access, driveways shall be constructed and maintained with an unobstructed corridor at least twelve (12) feet in width, twenty (20) feet in length and vertical clearance of fourteen (14) feet. No driveway shall be wider than is reasonably necessary to safely accommodate traffic passing over it and in no event wider than twenty-two (22) feet unless approved or required by the Development Review Board.

Pg 68 - Amend Section 1206.

~~In any residential district both vans and trucks of more than two (2) tons carrying capacity, unregistered motor vehicles, and cars used for drag or stock car racing must be stored in an enclosed garage.~~

Vans and trucks of more than two (2) tons carrying capacity must be stored in an enclosed garage in any residential district.

1. Any non-standard motor vehicles, such as drag racing and stock racing cars must be stored in an enclosed garage in any residential district.
2. Unregistered motor vehicles must be stored in an enclosed garage in any district. Open air storage of unregistered motor vehicles is allowed for the following uses: Motor Vehicle Service Station and Motor Vehicle Sales.

Pg 84 - Amend Section 1410.

In In determining the percentage of coverage of a lot, all structures whether permitted or exempted shall be included. ~~Driveways and sidewalks are not included in calculating coverage.~~

Pg 88 - Amend Section 1506.

4. In any residential district, one camper trailer or motor home that is parked on a lot containing a one-family dwelling may be ~~connected to utilities and~~ used as living quarters under the following conditions:
 - a. ~~The lot camper trailer or motor home shall not be so occupied by a camper trailer or motor home for~~ longer than an aggregate of one month over a calendar year.
 - b. No more than one camper trailer or motor home shall be ~~so~~ occupied on any such lot.

Pg 92 - Amend Section 1601.

AGR	Agricultural and Rural Residential District
HN	Historic Neighborhood District
MDR	Medium Density Residential District
HDR	High Density Residential District
R/LBD	Residential/Limited Business District
<u>COM</u>	Commercial District
CBD	Central Business District
OCBD	Otter Creek Basin District
IND	Industrial District
PUB	Public District
NGD	Northern Gateway District
AGR PUD	Agricultural and Rural Residential PUD Overlay District

LDR Low Density Residential District
 AOD Archaeological Overlay District
 FHO Flood Hazard Overlay District

Pg 93 and 94 – Amend Section 1603

B. Permitted Uses*

1. ~~One-Family Dwelling as an adjunct to a primarily agricultural use.~~

* Agricultural uses are not listed because they are exempted from these regulations, see Section 312.

D. Dimensional Standards

Residential and Non Residential uses		
	One Family**	Non Residential Uses
Lot area minimum per unit	1 Acre <u>5 Acres</u>	4 Acres
Lot frontage minimum	120 feet	350 feet
Lot depth minimum	150 feet	400 feet
Front yard minimum	20 feet	40 feet
Rear yard minimum	20 feet	25 feet
Side yard minimum	20 feet	25 feet
Coverage maximum	20%	20%
Building height maximum	35 feet	35 feet
Accessory structure height maximum	24 feet	24 feet

~~**Limited to a one-family dwelling as an adjunct to a primarily agricultural use, adaptive reuse of existing building, or development on a lot containing a one-family dwelling existing before the effective date of these regulations.~~

E. General Regulations

Site plan review ~~is~~ shall be required for all uses ~~in the AGR district except other than~~ one-family dwellings. ~~as an adjunct to an agricultural use.~~ For flood hazard areas, see Section 1616 of these regulations.

F. District Standards for Planned Unit Developments

For the purposes of calculating development density and lot size for one-family dwellings, there shall be a minimum of ~~four (4)~~ five (5) acres of land for every use, ~~except for each one-family dwellings- with a minimum lot size of one (1) acre.~~ All other uses shall require a minimum of four (4) acres per unit with a minimum lot size of one (1) acre. ~~established under Section 1603.D above, which shall require a minimum of one (1) acre per unit, and the Agricultural and~~

Rural Residential Overlay District established below. Section 1006.D of these regulations shall not apply within the Agricultural/Rural Residential District. All types of residential uses shall be allowed within a PUD.

Pg 96 - Amend Section 1604.

3. The size and proportions of new structures shall relate to the scale of adjacent buildings. Where appropriate, subdivide larger masses into smaller components that are similar in size to buildings historically seen ~~traditionally~~ in the district.
4. Windows, doors and porches shall be similar in size and shape to those found historically ~~along~~ facing the street.
5. New buildings, except for accessory structures, shall contain a minimum of two (2) stories (see Section 1617. Illustrated Guidelines for graphic representation). In the event of a catastrophic disaster, building height of the damaged structure must be maintained at a minimum, or must be comparable in mass, form, scale with the damaged structure. All proposed single-story buildings must get waiver from the Board to determine if it meets the definition/purpose of the district.
9. Additions to a building ~~structures~~ shall be designed to preserve, as much as possible, the original scale and overall character of the structure as well as the district. This can be accomplished by employing the following guidelines:
 - a. ~~Placing the new addition on an inconspicuous side or rear elevation so that the new work does not result in a radical change to the form and character of the historic building (see Section 1617. Illustrated Guidelines for graphic representation).~~
 - b. ~~Limiting the size and scale of the addition so that it does not diminish or overpower the original building and/or the character of the Historic Neighborhood District.~~
 - c. ~~Setting an infill addition or connector back from the historic building wall plane so that the form of the building, or buildings, can be distinguished from the new work.~~
 - d. ~~Setting an additional story well back from the roof edge to ensure that the building's proportions and profile are not radically changed.~~
 - a. Scale the addition as a complementary and subordinate mass to the main building mass.

- b. Place the addition on a side or rear elevation so as not to detract from the main building's cadence with adjacent buildings.
 - c. Typically an addition should be stepped back from the existing building's face (not on the same wall plane.)
 - d. Typically an addition should have a lower roof line than the existing building (examples of exceptions might be a cupola or a tower as appropriate for the existing architecture.)
 - e. In an addition is proposed for the front face of the existing main building, it must be of a scale insignificant enough so as not to detract from the existing main building mass and its cadence with adjacent buildings (examples might be a covered entry or a sun porch.)
10. Substantial architectural details on existing structures, including but not limited to such as columns, dormers, porches and bay windows, should be maintained, repaired, or restored to their original form. Where reconstruction of an architectural detail is impossible because of a lack of historical evidence, then a new design must relate to the building in general size, scale and material.
11. Demolition of any building, which contributes to the historic or architectural significance of the Historic Neighborhood District, shall not occur unless public health and safety require the removal of the building or structure. Demolition may be considered if the building does not contribute to the historic or architectural character of the district as determined by the Development Review Board.
1112. In the event of demolition, new buildings must be compatible in mass, form and scale with the existing structure or character of the district. This includes setbacks, building heights, and other requirements outlined in these standards.
12. ~~Demolition of any original feature or part of a historic building shall be avoided. Where reconstruction of an element is impossible because of a lack of historical evidence, then a new design that relates to the building in general size, scale and material may be considered.~~
13. ~~Demolition of any building, which contributes to the historic or architectural significance of the Historic Neighborhood District, shall not occur unless public health and safety require the removal of the building or structure.~~
14. ~~Demolition may be considered if the building does not contribute to the historical or architectural character of the district.~~

Pg 104 Add to the list of permitted uses in Section 1609

7. Dwelling Unit |

Pg 107 Amend Section 1609.F.2

- e. Residential uses ~~shall be prohibited~~ are allowed and encouraged on the second-floor and above.
- f. Residential uses shall be prohibited at street, ground or basement level except where:
 - No portion of the residential use is at the front of the building,
 - No portion of the residential use is visible from the street,
 - Access to the residential use is not at the front of the building,
 - The residential use does not exceed 20% of the building footprint,
 - And the residential use does not compromise the esthetic and economic integrity of the commercial use as determined by the Development Review Board.

Pg 114 Amend Section 1611.C

C. Dimensional Standards

Lot area minimum	20,000 sq ft
Lot frontage minimum	100 feet
Lot depth minimum	200 feet
Front yard minimum	50 feet
Rear yard minimum	25 feet or 100 feet abutting residential districts
Side yard minimum	25 feet or 100 feet abutting residential districts
Coverage maximum	40 %
Building height	40 feet

1. Where any structure abuts a residential district, rear yard and side yard minimums are required to be no closer than one hundred (100) feet to the property line abutting the residential district. The structure may receive a waiver from this required setback if all the following conditions are met.

a. Approval from the Development Review Board pursuant to Section 503 of these regulations for public notice and Article V for public hearing procedures.

b. The structure does not create an undue adverse effect on the character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan.

c. The structure does not create an undue adverse impact on the abutting neighbors and is designed with screening or other remedies to limit undue impacts.

Pg 116 Amend Section 1612.C

C. Dimensional Standards

Lot area minimum	20,000 sq ft
Lot frontage minimum	100 feet
Lot depth minimum	200 feet
Front yard minimum	20 feet
	25 feet or 100 feet abutting a residential district
	25 feet or 100 feet abutting a residential district
Building height maximum	40 60 feet

1. Where any structure abuts a residential district, rear yard and side yard minimums are required to be no closer than one hundred (100) feet to the property line abutting the residential district. The structure may receive a waiver from this required setback if all the following conditions are met.

a. Approval from the Development Review Board pursuant to Section 503 of these regulations for public notice and Article V for public hearing procedures.

b. The structure does not create an undue adverse effect on the character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan.

c. The structure does not create an undue adverse impact on the abutting neighbors and is designed with screening or other remedies to limit undue impacts.

Pg 118 Amend Section 1613.E

E. Specific Standards

The following standards shall be applicable to all new construction, reconstruction, enlargement, exterior alterations, additions, demolition, major landscape and site work, signage or lighting within the Northern Gateway District. ~~These standards do not apply to interior alterations that do not affect the exterior of the structure, customary maintenance and repair that does not affect the design of the structure, and routine landscaping, and any changes in use.~~ In addition, Specific Standard 11 shall also apply to any signage and/or exterior lighting changes, Specific Standards 12 and 13 shall also apply to any major landscape and/or site work.

3. Ground floor residential is not allowed in this district for new development, except as part of a PUD. For adaptive reuse, ground floor residential will be allowed as long as no more than twenty-five percent (25%) of the ground floor is residential.
7. Shared walkways and parking between adjacent buildings on the same lot and/or commercial uses shall be encouraged employed.
9. New development and redevelopment shall implement continuous sidewalk systems that connect to existing routes or establish new sections for pedestrian circulation.

Pg 119 Amend Section 1614.A

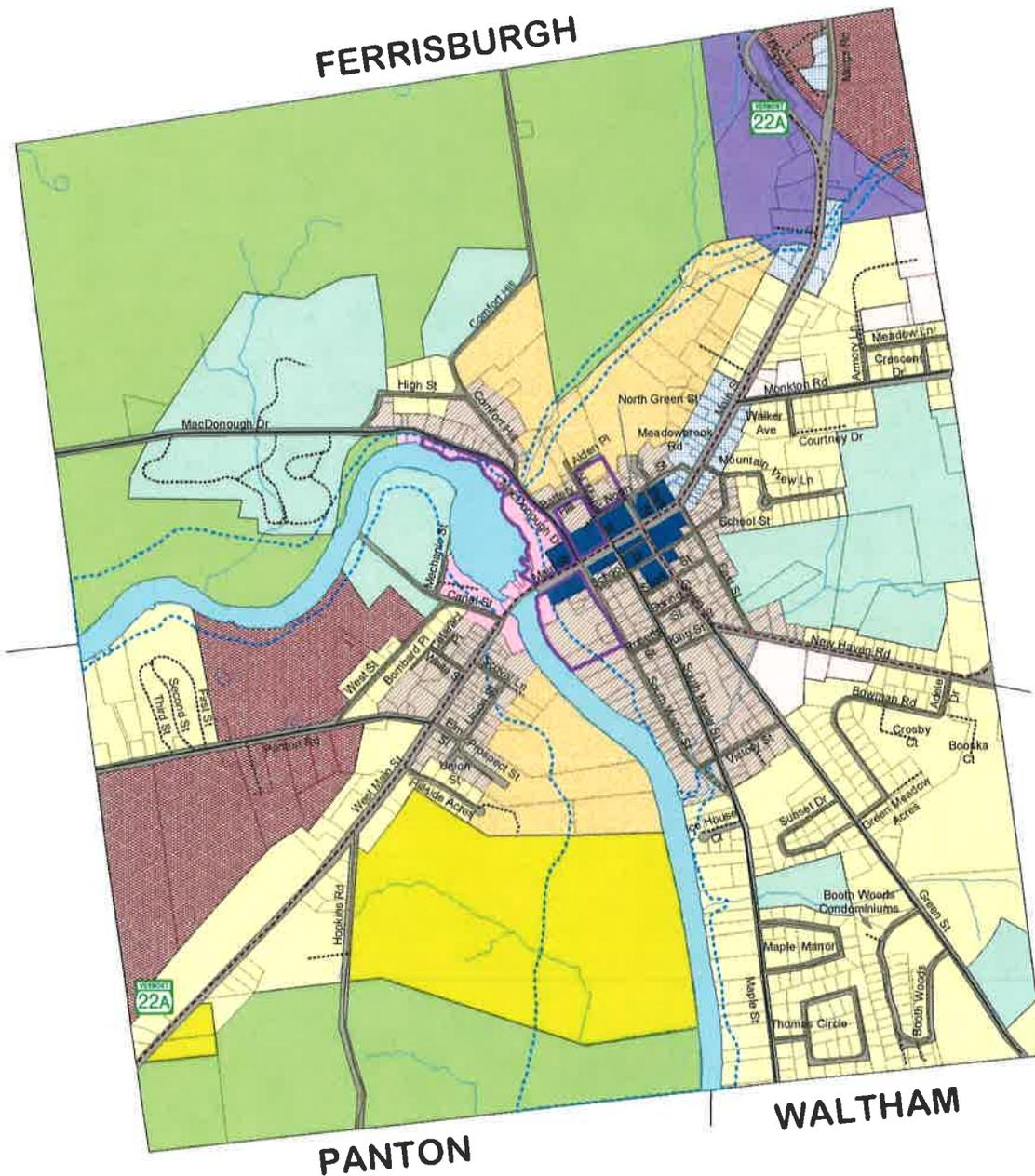
A. Definition/Purpose

Two areas bordering the AGR District in the southwest quadrant of the city are classified as a Low Density Residential District to allow for more intensive development.

The purpose of designating the Low Density Residential District is to allow for additional clustered residential growth at the edge of the developed core of the city, while preserving the natural and scenic qualities of remaining open lands in Vergennes. ~~The purpose of the Agricultural and Rural Residential Overlay PUD District is to allow for additional clustered residential growth at the edge of the developed core of the city, while preserving the natural and scenic qualities of remaining open lands in the city. The AGR PUD includes only the two areas of land in the southwest quadrant of the AGR and as identified on the zoning map. No additional parcels or pieces of land in the city of Vergennes may be added to or classified as a part of the AGR Overlay PUD district.~~

City of Vergennes

Land Use Map and Proposed Zoning Map



Zoning - DRAFT

- | | |
|--|---|
|  Central Business District; CBD |  High Density Residential District; HDR |
|  Commercial District; COM |  Medium Density Residential District; MDR |
|  Northern Gateway; NG |  Low Density Residential; LDR |
|  Industrial District; IND |  Agriculture and Rural Residential District; AGR |
|  Residential/Limited Business District; RLB |  Otter Creek Basin District; OCB |
|  Historic Neighborhood; HN |  Public District; PUB |
| |  Archaeological Overlay; AO |
| |  Flood Hazard District (100yr); FHO |

Sources:

Zoning Districts: draft, prepared by ACRPC and LandWorks, Middlebury.

Land Use Map: adopted Sept 30, 2014.

Parcel Boundaries: Digitized from city tax maps, 1997.

See Zoning Administrator for current information.

